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PATENT

15/Election

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In Re Application of:

KWON and BURKOTH

Confirmation No.: 5348

Serial No.: 09/489,088

Group Art Unit: 1615

Filing Date: January 21, 2000

Examiner: I. Ghali

Title: METHOD OF ENHANCING NEEDLELESS TRANSDERMAL POWDERED
DRUG DELIVERY

RESPONSE TO SPECIES ELECTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to Paper No. 12, dated October 10, 2001, for which a response was initially due November 10, 2001. Accordingly, a four-month extension of time in which to respond is requested and a petition and fee therefor accompany this response.

The Examiner required election of one of the following species with respect to the placebo particles:

Species I. metal particles;

Species II. coated metal particles.

Applicants hereby elect Species I, directed to placebo metal particles. All of the claims of previously elected Group I, claims 1-32, read on the above species.

Applicants note that although the Examiner has only required election between placebo metal and coated metal particles, generic claim 1 encompasses both therapeutic and

placebo particles, and is not limited to metal and coated metal particles. For example, the particles can comprise other inert, dense substances, such as powdered compositions. See, page 11, lines 22-23 and page 20, lines 29-30.

It is to be understood that this election of species is for the purposes of preliminary search and examination only, and that upon allowance of a generic claim, applicants will be entitled to consideration of claims to the additional species.

Respectfully submitted,

Date:

2/28/02

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